

May 15, 1975

SENATOR BEREUTER: Mr. President, colleagues, I have introduced this bill in anticipation that the federal act which would be passed which would mandate that the states control advertising beyond 660 feet, beyond 660 feet on both the primary system and the interstate system, but visible from the travel right-of-way. In fact, that happened by the passage of a federal act on January 4th which requires that the state now pass legislation to control such signs. What you have before you now in the white copy, LB 213 is an effort that will satisfy the federal government. I present this legislation to you, not especially because I am sympathetic to it, because I am not in the large part. I think it may be, perhaps, unreasonable. I am presenting it to you in pure economic...for purely economic reasons. I would mention that the bill was reported out by an 8 to 0 vote and that the white copy is now necessary because the bill had to be substantially changed to meet the act that was passed a few days after the bill was written, January 4th to be exact. Also appearing in support of it were the 3 M National Advertising Company, the Western Advertising Company and the Nebraska Outdoor Advertising Association and the Imperial Outdoor Signs. So you can see, all the big outdoor sign companies were accepting the inevitable on it. Now what happens if we don't pass the legislation is this. We lose 10% of our highway construction money. This is not a highway safety bill. It is highway construction. Before you, I placed a letter dated May 13, 1975 to me from Mr. Thomas Doyle, State Department of Roads, and he provides you with some information that I would like summarized for you. If you have any question that the federal government means business about this particular act, you can talk to some of our fellow members who visited with members of the Federal Highway Administration recently. You can also note that Vermont was penalized 10% of their highway funds for the years 1974 and 1975 and 1976. South Dakota, after taking it to court, was penalized \$3,361,546. At the present time, in the area beyond 660 feet but visible, and this excludes urban areas, we have 220 signs. The estimated cost for removing them is \$2,606,000. This is on page 2. The cost to the state of Nebraska, eventually, would be \$651,000. Probably somewhat less since the signs depreciate. If we fail to enact the legislation, there is a 10% penalty per year. This means \$5,000,000 per year. Compare that with \$651,000. I can see Senator Lewis shaking his head in indignation. I share his concerns. I am not presenting it to you on the basis of its merits, simply on the basis of pure economics. I am not interested in losing federal highway construction money. I don't think any of the rest of you are either. One other thing you should keep in mind. That is the following. Two other things. First is, that if we enact this legislation now, we stop further jumbo signs, those located beyond 660 feet from being erected. The average cost of removing signs that would be erected beyond this is about \$11,845. At the moment, we have 220. I also have an amendment before you to add the emergency clause. This is the only thing lacking to make this legislation adequate to meet the federal mandate. Finally, I also placed on your desk today white bond paper, one paragraph. I would like to call your attention to it because this language was placed in the budget bill. It is now before you. This represents the amended form amended by Senator Warner just two days ago. It provides in the priority of the use of federal and state monies for the removal of